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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/835,355	04/17/2001	Mark W. Runge	USAN002/00US	6649

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EXAMINER
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DURAN, ARTHUR D

ART UNIT	PAPER NUMBER
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3622

DATE MAILED: 10/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/835,355

Applicant(s)

RUNGE ET AL.

Examiner

Arthur Duran

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 4/17/0 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 26 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-26 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-26 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 5/6/04.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

1. Claims 1-26 have been examined.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shaw (6,311, 211) in view of Agraharam (5,987,508) and in further view of Gerace (5,848,396).

Claim 1-4, 6-17, 19-23, 25, 26: Shaw discloses a method, system for improving classified advertising, the method comprising:

receiving from an advertiser information for an advertisement (col 2, line 57-col 3, line 7; Fig. 6);

incorporating the address of said e-mail account into the text of said classified advertisement, whereby said e-mail account becomes associated with said classified advertisement (col 10, line 50-67);

and

publishing said advertisement (col 2, line 57-col 3, line 7; Fig. 5; Fig. 6).

Shaw further discloses multiple advertisers, advertisements, e-mail accounts (col 20, line 47-50; Fig. 6)

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Shaw further discloses initiating the forwarding of e-mails sent to said e-mail account to a predetermined fax machine (col 4, lines 33-37).

Shaw further discloses categorizing said e-mail accounts into e-mail account groups (col 3, lines 24-37; col 22, line 60-col 23, line 17).

Shaw further disclose generating a report of the activity of said e-mail accounts (col 4, lines 10-16; col 23, lines 20-25).

Shaw further discloses communications between a service provider, user, and advertiser (Fig. 6) and the utilization of a service provider (col 2, lines 10-30).

Shaw further discloses the utilization of third party service providers (col 2, lines 12-30).

Shaw does not explicitly disclose utilizing an LDAP interface.

However, Agraharam discloses providing advertising (col 3, lines 17-34).

sending, via an LDAP interface, said received information to an e-mail service provider (col 3, lines 10-50; col 3, lines 17-34; col 4, lines 2-12);

requesting said e-mail service provider to use said sent information to create a temporary e-mail account (col 3, lines 10-50).

Agraharam further discloses that said sent information is a subset of said received information (Fig. 2; col 3, lines 17-34).

Agraharam further discloses the utilization of a service provider (col 3, lines 24-34).

Agraharam further discloses confirm an information exchange (col 6, lines 34-42).

Agraharam's further discloses the utilization of third party service providers for email providing (col 3, lines 23-34; col 2, lines 40-50; Fig. 1).

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Shaw does not explicitly disclose that the advertisements can be classified advertisements.

However, Gerace discloses receiving from an advertiser information for a classified advertisement (col 1, lines 9-21; col 7, lines 45-52; Fig. 4a; Fig. 2);

and

publishing said classified advertisement (Fig. 2; col 1, lines 9-21; col 7, lines 45-52).

Gerace further discloses multiple advertisers, advertisements, e-mail accounts (Fig. 2; Fig. 3a)

Gerace further disclose generating a report of the activity of said e-mail accounts.

Gerace further discloses categorizing said e-mail accounts into e-mail account groups (col 19, lines 65-col 20, line 9; col 19, lines 1-6).

Gerace further discloses analyzing advertisements, users by a variety of groups and parameters and that reports can be generated daily or an a variety of timeframes (col 33, line 35-col 34, line 27).

Gerace further discloses that the time for executing said sending step is customized for the e-mail account group (col 12, lines 21-55).

Gerace further discloses initiating the forwarding information to a predetermined fax machine (col 3, lines 42-46).

Gerace further discloses that corporate accounts utilize email as well as user accounts (col 11, lines 7-12; Fig. 3a; Fig. 5a).

Gerace contacting an advertiser through the advertisement (col 14, lines 27-35).

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Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to add Agraharam's utilization of the LDAP interface and Gerace's utilization of classified advertisements to Shaw's email provided with advertisements. One would have been motivated to do this in order to provide further organizing capabilities and specific types of advertisements that are of interest to certain users.

Claim 5, 24: Shaw, Agraharam, and Gerace disclose the method according to claim 4, 23.

Shaw nor Agraharam explicitly disclose that said temporary e-mail account is created on an e-mail system operated by the publisher.

However, Gerace further discloses various publishers (col 1, lines 5-24; col 1, lines 30-51) and that the publisher can both provide information and Internet service to users (col 3, lines 53-col 4, line 11).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to add Gerace's publisher who publishes information and provides Internet services to Shaw and Agraharam's providing of a temporary email account. One would have been motivated to do this in order to provide architectural flexibility and allow the publisher greater control over the services it provides.

Claim 18: Shaw, Agraharam, and Gerace disclose the method according to claim 15.

Shaw further discloses that advertisements expire (col 19, line 60-65; col 16, lines 43-53).

Shaw further discloses customizing notes to users based on user groups (col 22, line 55-col 23, line 26).

Shaw does not explicitly disclose that said sending step is an expiration or renewal notice to be sent N days before a given classified advertisement expires.

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However, Gerace discloses that classified advertisements expire and that renewals are possible (col 23, lines 6-11) and that advertisements runs for various limited set time periods (col 12, lines 22-56).

Gerace further discloses that alerts or notices about various timely information can be sent (col 22, lines 9-12; col 22, lines 22-25; col 17, lines 17-52) and that email communications concerning classified ads are possible (col 22, line 65- col 23, lines 7).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to add Gerace's classified ads with limited time periods and notices concerning timely information to Shaw's advertisements that expire. One would have been motivated to do this in order to provide the user the ability to act upon an ad before that ad expires.

### ***Conclusion***

The following prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

a. Marsh (5,848,397) discloses providing email with advertisements.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Arthur Duran whose telephone number is (703)305-4687. The examiner can normally be reached on Mon- Fri, 7:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eric Stamber can be reached on (703)305-8469. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature, possibly reading "AD", in dark ink.

5/6/04